

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

BATTLE MOUNTAIN BAND of the TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS,

Plaintiff,

v.

U.S. BUREAU OF LAND MANAGEMENT, and JILL SILVEY, in her official capacity as Bureau of Land Management Elko District Manager,

Defendant, and

CARLIN RESOURCES, LLC,

Defendant-Intervenor and Cross-Claimant.

Case No. 3:16-cv-00268-LRH-CSD

ORDER GRANTING DEFENDANTS' JOINT MOTION FOR EXTENSION OF TIME (FOURTEENTH REQUEST)

Before the Court is Defendants' Joint Motion for Extension of Time (Fourteenth Request). ECF No. 166. In its Motion, Defendants request leave until February 15, 2023, for Defendant-Intervenor/Cross-Claimant Carlin/Hecla ("Hecla") to file its Opposition to Cross-Motion for Summary Judgement and Reply in Support of Motion for Summary Judgment, and until March 7, 2023, for Federal Defendants to file their Reply in Support of Cross Motion for Summary Judgment. *Id.*

Defendant Hecla filed its Motion for Summary Judgment on September 29, 2020. ECF No. 140. Federal Defendants filed their Motion for Summary Judgment and Opposition to Hecla's (formerly known as Carlin) Motion for Summary Judgment on December 11, 2020. ECF No. 143. In the interim, the Defendants have filed nine joint motions for extension of time to file their corresponding oppositions and replies, not including the one currently before the Court. See ECF

1 Nos. 144, 146, 148, 150, 152, 156, 160, 162, and 164. The Court has granted all of them. *See* ECF
2 Nos. 145, 147, 149, 151, 153, 157, 161, 163, and 165. Each contain the same language justifying
3 the request for an extension, but the delay has reached a point of questionable delay and merit.

4 The Motion will be granted in the interest of not jeopardizing settlement potential and any
5 party's status. However, no further continuances will be considered without personal appearance
6 of counsel and sufficient cause having been shown.

7 IT IS THEREFORE ORDERED that Defendants' Joint Motion for Extension of Time
8 (Fourteenth Request) (ECF No. 166) is GRANTED.

9 Defendant-Intervenor/Cross-Claimant Carlin/Hecla's Opposition to Cross-Motion for
10 Summary Judgement and Reply in Support of Motion for Summary Judgment are due February
11 15, 2023 and Federal Defendants' Reply in Support of Cross Motion for Summary Judgment is
12 due March 7, 2023.

13 IT IS SO ORDERED.

14 DATED this 14th day of December, 2022.

15
16 
17 LARRY R. HICKS
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26
27
28